

Applicant or Patentee: David M. Goldenberg
SerialNo: 09/313,278
Filed: May 18, 1999
For: Virtual Doctor Interactive Cybernet System

Attorney Docket No. 039334/0104

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) AND 1.27 (c)) — INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention VIRTUAL DOCTOR INTERACTIVE CYBERNET SYSTEM, described in

- () the specification filed herewith
(xx) application serial no. 09/313,278 , filed May 18, 1999

() patent no. , issued



I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey, or license any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below.


- (xx) no such person, concern or organization

() persons, concerns or organizations listed below*

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate: (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

| NAME OF INVENTOR: | NAME OF INVENTOR | NAME OF INVENTOR |
|---|-----------------------|-----------------------|
| DAVID M. GOLDENBERG | | |
| Signature of Inventor | Signature of Inventor | Signature of Inventor |
|  | | |
| Date | Date | Date |
| Sept. 21, 1999 | | |

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

VIRTUAL DOCTOR INTERACTIVE CYBERNET SYSTEM

the specification of which is attached hereto unless the following box is checked:

☐ was filed on May 18, 1999 as United States Application Number or PCT International Application Number 09/313,278 and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

| NUMBER | COUNTRY | DAY/MONTH/YEAR FILED | PRIORITY CLAIMED |
|--------|---------|----------------------|------------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |



I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

| APPLICATION NO. | FILING DATE |
|-----------------|-------------|
| | |
| | |
| | |


I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| APPLICATION SERIAL NO. | FILING DATE | STATUS: PATENTED, PENDING, ABANDONED |
|------------------------|-------------|--------------------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |

I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; William T. Ellis, Reg. No. 26,874; John J. Feldhaus, Reg. No. 28,822; Patricia D. Granados, Reg. No. 33,683; John P. Isacson, Reg. No. 33,715; Michael D. Kaminski, Reg. No. 32,904; Kenneth E. Krosin, Reg. No. 25,735; Glenn Law, Reg. No. 34,371; Eugene M. Lee, Reg. No. 32,039; Richard Linn, Reg. No. 25,144; Peter G. Mack, Reg. No. 26,001; Brian J. McNamara, Reg. No. 32,789; Sybil Meloy, Reg. No. 22,749; Richard C. Peet, Reg. No. 35,792; George E. Quillin, Reg. No. 32,792; Colin G. Sandercock, Reg. No. 31,298; Bernhard D. Saxe, Reg. No. 28,665; Charles F. Schill, Reg. No. 27,590; Richard L. Schwaab, Reg. No. 25,479; Arthur Schwartz, Reg. No. 22,115; Harold C. Wegner, Reg. No. 25,258.

Address all correspondence to FOLEY & LARDNER, 3000 K Street, N.W., Suite 500, P.O. Box 25696, Washington, D.C. 20007-8696. Address telephone communications to Bernhard D. Saxe at (202) 672-5300.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | |
|--|---|------------------------|
| Full Name of First or Sole Inventor <i>David M. Goldenberg</i> | Signature of First or Sole Inventor  | Date <i>9/21/99</i> |
| Residence Address <i>Mendham, New Jersey</i> | Country of Citizenship <i>U.S.A.</i> | |
| Post Office Address <i>330 Pleasant Valley Drive, Mendham, New Jersey 07945</i> | | |

